

# Browne & Woods LLP

## MEMORANDUM

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### STATE BAR OF CALIFORNIA INTELLECTUAL PROPERTY SECTION TRADE SECRET COMMITTEE

#### *January 13, 2004 Meeting Minutes*

1. **Attendance.** The following Committee members attended the January 13, 2004 telephonic meeting: Ben Scheibe, Eli Mansour, John Yates, Bec Edelson, Randy Kay, Marc Alexander, Gregory Rutchik, and Jim Langford.

2. **Update On Trade Secrets Treatise.** Bec Edelson and Randy Kay updated committee members on the progress of the Trade Secret treatise edited by Randy and Bec and written by members of the Committee and solicited assistance in finalizing the chapters. Several Committee members volunteered to assist in this project. Ben Scheibe will solicit additional assistance from Committee members via e-mail.

3. **New cases.**  
John Yates led a discussion of the recent opinion in *Daniel Thompson v. Impaxx, Inc.*, 113 Cal. App. 4<sup>th</sup> 1425 (2003), and its ramifications for employee non-competition and non-solicitation covenants. The members also discussed the ongoing SCO/IBM litigation in Utah. Gregory Rutchick will circulate copies of an article on that case.

4. **Speaking Opportunities/Writing Opportunities.**  
The Committee members discussed potential writing and speaking opportunities. Randy Kay and Bec Edelson will speak at the IP Section's upcoming "Intellectual Property Litigation

Issues for In-house Counsel” program in May 2004. The members discussed the need for the Committee to keep a flow of articles to *New Matter*, although we are set for the next two issues. John Yates mentioned a desire to contribute an article on a topic to be determined.

5. **New Projects.** Ben Scheibe asked Committee members to think of new possible projects for the Committee for 2004 to discuss at the next meeting. One possible project would be to develop a set of “Plain English” jury instructions for use in trade secret cases. Ben will investigate contact persons involved in the CACI project.

6. **Next Meeting.** The Trade Secret Committee will have its next telephonic meeting on Tuesday, March 16, 2004 at 3:00 p.m. Ben Scheibe will circulate call-in information in advance of the meeting.